In the High Court of Punjab and Haryana at Chandigarh.

Civil Writ Petition No.6651 of 2006.

Date of decision:10.8.2007.

Taj Mohammad and others.

...Petitioners.

Versus

State of Haryana and others.

...Respondents.

...

Coram: Hon'ble Mr. Justice K. S. Garewal.

Hon'ble Mr. Justice S. N. Aggarwal.

...

Present: Mr. Mahavir Sandhu Advocate for the petitioners.

Mr. Anil Rathee, Additional Advocate General, Haryana.

Mr. Arvind Singh, Advocate for Gram Panchayat.

...

Judgment.

S. N. Aggarwal, J.

The petitioners are residents of village Rajpur, Tehsil Jagadhri. They filed this writ petition against the Gram Panchayat of their own village. It was alleged by them that some land of Gram Panchayat was reserved as grazing ground (Charand) for the cattle of the village. However, that land is being leased out by the Gram Panchayat. It was pleaded that there were 3500 cattle in the village. It was prayed that the Gram Panchayat be directed not to lease out the area earmarked for grazing

purposes.

The respondent-Gram Panchayat contested the petition. It was pleaded that 243 Kanals 12 Marlas of land was reserved for Charand. It was also pleaded that five acres of land has been kept apart for grazing of the cattle of the villagers which is sufficient to meet the requirement of villagers for grazing their cattle. It was also submitted that the Gram Panchayat has the right to utilize the land owned by it in the best interest of the villagers and it can alter its use.

Submissions have been considered.

During the pendency of this writ petition, a report was called if five acres of land was sufficient for this purpose. It was to be submitted after conducting the survey about the grazing requirement of the livestock of the village. The report has been received from the Block Development & Panchayat Officer, Chhachhrauli who has reported that earlier the Gram Panchayat had earmarked five acres of land and keeping in view the increased strength of cattle in the village, the area of land has been increased to 8 acres and 11 Marlas which was sufficient as grazing ground.

The submission of learned counsel for the petitioners was that the land reserved for grazing purposes (Charand) may be increased as the area left is inadequate for grazing the cattle of the villagers. The learned counsel for the respondents submitted that 8 acres of land would suffice the purpose. Keeping in view the circumstances of this case, the area of grazing ground (Charand) is determined to be ten acres of land. The learned counsel for the respondent-Panchayat has agreed to keep apart ten acres of land for grazing purposes. This Court feels satisfied that ten acres of land shall

suffice to meet the requirements of the cattle of the village for the purpose of Charand.

Disposed of.

(S. N. Aggarwal)
Judge

August 10,2007.
Jaggi

(K. S. Garewal)
Judge